



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

400 Seventh St., S.W.  
Washington, D.C. 20590

MAR - 5 2003

Mr. David A. Jones  
Manager, Dangerous Goods Compliance  
American Eagle Airlines, Inc.  
4333 Amon Carter Blvd.  
MD 5494  
Ft. Worth, Texas 76155

Ref. No. 02-0254

Dear Mr. Jones:

This responds to your September 20, 2002 letter and September 25, 2002 fax requesting clarification on § 175.81(a) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if securing sixty-nine to ninety-nine pounds of "Batteries, wet filled with alkali, UN 2795" packed in UN 4H2 packages by blocking and securing with baggage or other cargo complies with § 175.81(a). In addition, you ask if the HMR requirements apply to conditions normally encountered during transportation.

It is your understanding that offering "Batteries, wet filled with alkali, UN 2795" in UN 4H2 packages in which they are secured with baggage and other cargo complies with requirements in § 175.81(a) during conditions normally encountered during transportation. You also state that several of your fleet types do not have provisions to physically secure the packages to the aircraft structure, or have provisions for installing netting without modification to the aircraft structure. You also state that staff in our Hazardous Materials Information Center informed you that nothing in the HMR precludes you from using nonhazardous material cargo, including baggage, to stabilize the batteries; and, that these provisions apply to conditions normally encountered during transportation, not to situations such as a plane inverting.

Your understanding is correct. The HMR do not preclude you from using nonhazardous cargo, including baggage, to secure or stabilize the "Batteries, wet filled with alkali, UN 2795" under conditions normally encountered during transportation. In this scenario, the HMR requirements for securing packages apply to conditions normally encountered during transportation, including light, moderate, or even severe turbulence, not extreme situations such as extreme turbulence or a plane



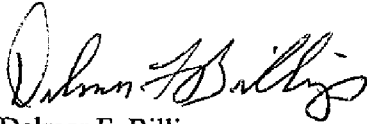
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175-81

inverting. However, questions concerning the general loading, blocking, and bracing of air cargo, including hazardous materials, should be directed to your Federal Aviation Administration-assigned principal operations inspector.

I hope this answers your inquiry.

Sincerely,

A handwritten signature in cursive script, appearing to read "Delmer F. Billings".

Delmer F. Billings  
Chief, Standards Development  
Office of Hazardous Materials Standards

**American Eagle**  
**American Airlines**

Booth  
\$ 175.81  
Air  
02-0254

September 20, 2002

American Eagle Airlines, Inc  
4333 Amon Carter Blvd.  
MD 5494  
Ft. Worth, TX 76155

Office of Hazardous Materials Standards  
Research and Special Projects Administration  
U.S. Department of Transportation  
400 7<sup>th</sup> Street, SW  
Washington, D.C 20590-0001

ATTN: Edward Mazzulo DHM-10

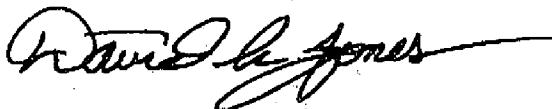
Dear Mr. Mazzulo,

I would like to request your Office's interpretation of 175.81(a). The regulation states "Packages contaminating hazardous materials must be secured in a aircraft in a manner that will prevent any movement in flight which would result in damage to or change in orientation of the packages."

Specifically, we are offering UN2795, Batteries, wet, filled with alkali with weights ranging from sixty-nine to ninety-nine pounds in UN Specification 4H2 packages. Several of our fleet types do not have provisions to physically secure the packages to the aircraft structure, or have provisions for installing netting without modification to the aircraft structure.

American Eagle's interpretation is that securing these or similar packages by blocking and securing with baggage or other cargo would comply with 175.81. In addition, 175.81 does not require specific methods for securing or blocking packages containing hazardous materials.

Sincerely,



David A. Jones  
Manager, Dangerous Goods Compliance  
American Eagle Airlines, Inc.  
(817) 931 - 4811

**American Eagle**  
**American Airlines**

*Booth*  
*\$175.81*  
*Aircraft*  
*02-0254*

September 25, 2002

American Eagle Airlines, Inc  
4333 Amon Carter Blvd.  
MD 5494  
Ft. Worth, TX 76155

Office of Hazardous Materials Standards  
Research and Special Projects Administration  
U.S. Department of Transportation  
400 7<sup>th</sup> Street, SW  
Washington, D.C 20590-0001

ATTN: Debra Booth DHM-10

Dear Ms. Booth,

In addition to our previous request for your Office's interpretation of 175.81 (REF. 02-0254), we would also like to request your interpretation on the application of the regulations.

It is American Eagle's understanding that the regulations are designed to promote the safety of Hazardous Materials during conditions normally encountered by that specific mode during transportation. In our circumstance, the operation of transport category aircraft, moderate, severe or extreme turbulence as defined by the Aeronautical Information Manual (see enclosure), or inversion of the aircraft during flight would not be considered as conditions normally encountered during transport.

Sincerely,



David A. Jones  
Manager, Dangerous Goods Compliance  
American Eagle Airlines, Inc.  
(817) 931 - 4811